



Internal Affairs Committee Report

DATE: February 4, 2010
TO: CITY COUNCIL
FROM: INTERNAL AFFAIRS COMMITTEE

File : [Comm Binder](#)

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD JANUARY 12, 2010**

<u>Committee present:</u> Chair Nickell Councilmember Holcombe Councilmember Walker	<u>Staff present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker Building & Dev. Services Dir. McKinley Capital Project Services Director Varga	Administrative Services Director Pierce Interim Planning Services Director Wolfe Principal Planner Vieg Sr. Civil Engineer Greenlaw Associate Civil Engineer Jukkola Assistant Civil Engineer West Administrative Assistant Sevier
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ITEMS REQUIRING COUNCIL ACTION

Chair Nickell announced at the beginning of the meeting that Item A will be limited to one hour due to the size of the agenda.

- A. **Medical Marijuana** - The Committee discussed potential regulations for the cultivation of medical marijuana. After discussion, the Committee formulated a recommendation for the City Council regarding whether and how the cultivation of medical marijuana should be regulated. **(Report - Lori Barker, City Attorney)**

Clyde Bensen, Ken Fleming, Juanita Sumner, and Robin Indarr addressed the Committee on this issue.

Dan Herbert and Randy Coy, representatives of North Valley Property Owner's Association, and Steve Depa addressed the Committee in opposition of an indoor growth ordinance.

Quintin Colgan, Ken Prather, David Kasakove, and Dillon Tellison submitted documents to the Committee.

Committeemember Holcombe noted that the County Board of Supervisors concurrently held a meeting regarding putting an emergency 45-day moratorium on dispensaries. He stressed that the City's approach to medical marijuana should be from a zoning perspective and requested the Committee agree to direct staff to come up with appropriate zones for dispensaries.

City Attorney Barker reiterated the State Law that allows a qualified patient to possess whatever is necessary, whereas the Medical Marijuana Program Act putting a limit on the number of plants allowed, was found to be an unconstitutional amendment to the Passionate Use Act. She explained that cities are free to regulate marijuana from a zoning perspective by limiting what can be grown, but not what a person can possess.

Committeemember Walker expressed his concerns with residential grows, stating cultivation should require owner's permission as they have a right to protect their property. He also noted the regulations should include distances from schools and daycare facilities.

Chair Nickell discussed setback regulations for residential grows, as well as limiting the size of the plants and the visibility from passersby. He suggested regulating the number of plants per household, not by individual and added the City should have a copy of a valid ID card on file, with owner's written permission or rental property agreement. He concluded that multi-family housing should not be allowed to have indoor grows, due to increased potential for fire and safety hazards.

Committeemember Holcombe made the following motion. Committeemember Walker seconded and the motion carried 3-0.

Recommendation - The Internal Affairs Committee recommended (3-0) forwarding the consideration of a medical marijuana ordinance to Council regarding regulation of cultivation of medical marijuana grown in residential districts and zoning regulations for dispensaries.

- B. **1st and 2nd Street Couplet Presentation** - As a result of continued efforts between the City of Chico and the California State University Chico, the City is exploring the idea of making modifications to the First and Second Street corridors to enhance safety, promote alternate modes of transportation, provide additional parking and to help revitalize underutilized portions of the business district. **(Report - Fritz McKinley, Building and Development Services Director)**

Recommendation - The Building and Development Services Director recommends the Committee forward this project to the Council for approval and implementation.

Charlie Pruesser, Juanita Sumner, Matt Lucena, co-owner of Collier's, Mike Trolinder, Katrina Davis-Woodcox, Denise Rolls, Ken Fleming, and Katie Simmons addressed the Committee.

The Committee requested the Bicycle Advisory Committee give an official opinion of the plan before it goes forward to Council. Staff reassured the Committee that the couplet will provide dedicated bike lanes with painted stripes on the roadway and added the University had estimated a contribution of \$282,000, but that amount could still fluctuate with the scope of the project.

Committeemember Walker questioned why the plan needed Wall Street to become 2-way, after 1-way traffic was so sought-after with this plan, to which staff replied Wall Street would provide a turn-around for traffic to circulate around the block. Staff added the only necessary changes on Wall Street would be to re-stripe the parking lanes. Committeemember Walker added that this plan would take away a nearly impossible left turn onto Broadway and Main Streets, but questioned whether the reconstruction would eliminate any bicycle parking. Staff indicated the bulbing would create additional nooks that would be adequate for bike parking and would be included in the design.

Committeemember Walker asked if the diagonal parking would provide a net loss or gain. Staff explained the initial estimate would provide a 25% gain, however the design of the bulbing may reduce the available parking on the corners.

Committeemember Holcombe made the following motion. The motion was seconded by Committeemember Walker and carried 3-0.

Recommendation: The Internal Affairs Committee recommended (3-0) forwarding the 1st and 2nd Street Couplet to the City Council for full Council approval and if approved, subsequent implementation, with the caveat for the Bicycle Advisory Committee to weigh in on the project.

The Committee concurred (3-0) to extend the meeting 15 minutes to allow the discussion for Item C and tabled Item D for the February 9th meeting.

- C. **Consideration of Tres Hombres Proposed Street Improvements** - Tres Hombres proposed an outdoor dining area next to its building. The proposal is within the 1st and 2nd Street couplet project and opportunities for joint improvements may be considered. **(Report Tom Varga, Capital Project Services Director)**

Recommendation - Provide staff with comments or direction regarding the Tres Hombres proposal.

Tres Hombres owner, Mike Thomas, addressed the Committee regarding the permanent fencing requirement imposed by Alcohol Beverage Control to allow outdoor alcohol service.

Ken Fleming, Mike Trolinder, and Katrina Davis-Woodcox addressed the Committee.

Committeemember Holcombe commented on the staff report, indicating a loss of 5 parking spaces, but noted if the couplet project is approved by Council, the project would only realize a loss in 3 parking spaces due to the introduction of corner bulbing at this location. Staff confirmed bicycle parking would not be affected by this transition.

Committeemember Holcombe then questioned the payment and cost of this project and whether allowing this project would create a precedent. Staff responded that the approach the City takes would define how future projects are handled.

Committeemember Holcombe made the following motion. The motion was seconded by Committeemember Walker and carried 3-0.

Recommendation: The Internal Affairs Committee endorsed (3-0) the Tres Hombres concept and recommended the project move forward for full Council approval.

ITEMS NOT REQUIRING COUNCIL ACTION

Item D was tabled to the February 9, 2010 Internal Affairs meeting for lack of time.

D. **Annual Update on the Status of the Enloe Medical Center Century Project (DA 03-03)** - At its meeting of 03/21/06, the City Council certified a Final EIR, approved a Development Agreement, approved amendments to land use designations, and rezoned various properties within the Enloe Medical Center (Enloe) campus to provide for the expansion of Enloe Hospital. Per the Development Agreement, dated 5/19/06, Enloe is required to provide an annual report to the City detailing the project's compliance. **(Report Brendan Vieg, Principal Planner and Tom Varga, Capital Project Services Director)**

E. **Business from the Floor.** Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

TJ Glenn addressed the Committee regarding the economic benefit of 54 more seats provided by the Tres Hombres proposal.

F. **Adjournment and Next Meeting.** The Committee adjourned at 10:15 a.m. to its next regularly scheduled meeting on Tuesday, February 9, 2010, at 8:00 a.m. in Conference Room No. 1.

Laurie Sevier, Administrative Assistant

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Internal Affairs Committee Report

DATE: February 22, 2010
 TO: CITY COUNCIL
 FROM: INTERNAL AFFAIRS COMMITTEE

File : Comm Binder

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD FEBRUARY 9, 2010**

<p><u>Committee present:</u> Chair Nickell Councilmember Holcombe Councilmember Walker</p>	<p><u>Staff present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker Building & Dev. Services Dir. McKinley Capital Project Services Director Varga</p>	<p>Sr. Development Engineer Johnson Sr. Civil Engineer Mickelson Assistant Civil Engineer West Senior Planner Tillman Administrative Services Director Pierce Administrative Assistant Sevier</p>
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COMMITTEE ITEMS NOT REQUIRING COUNCIL ACTION

Committee Member Holcombe announced his disqualification from the first part of Item A, due to his residence being within 500 feet of the Oleander Avenue intersection, at which time staff agreed to separate the item into two separate discussions.

A. **Chico Avenues Neighborhood Association Corner Bulbing Projects:** City staff had monitored both the West First Avenue/Magnolia Avenue and East First Avenue/Oleander Avenue corner bulbing installations for the past two months. As a result of that monitoring effort combined with significant citizen comments, the City will complete the East First Avenue/Oleander Avenue data collection process by the end of February, at which time temporary corner bulbing at West First Avenue/Magnolia Avenue and East First Avenue/Oleander Avenue intersections will be removed. Following this removal, permanent corner bulbing will be installed at the West First Avenue/Arcadian Avenue intersection. The Building & Development Service Director recommended that City staff provide a report detailing the results of the corner bulbing at the East First Avenue/Oleander Avenue intersection to the Internal Affairs Committee at a future meeting and continue to work with the Avenues Circulation Action Group to identify projects aimed towards implementation of The Avenues Neighborhood Improvement Plan. **(Report - Fritz McKinley, Building & Development Services Director)**

Item A was separated into the following two discussions on corner bulbing: (1) East First Avenue/Oleander Avenue; and (2) West First Avenue/Magnolia Avenue.

East First Avenue/Oleander Avenue Intersection

Karen Zinniel, Ken Fleming, and Karen Laslo addressed the Committee in favor of reducing speeds in the neighborhood. Ms. Zinniel and Richard Gitelson stressed their dissatisfaction with the noticing through CANA. Staff noted that the City does not set speed limits.

William Riddell expressed concern with the bulbouts forcing bicycles into the roadway and observed that allowing a left-hand turn naturally slows the speed of traffic. Staff agreed that the bulbouts do reduce the continuity of the bike lane, but the streets are not wide enough to accommodate vehicles, bike lanes, and parking.

Judy Galley addressed the Committee voicing concern with bulbouts being implemented at every corner. Staff indicated that is not the intended direction due to still having to prohibit left-hand turns.

Committee Member Walker inquired what the City was trying to accomplish and questioned whether bulbing just one side of the street was possible, to allow traffic to turn left onto Oleander Avenue.

Staff acknowledged they had anticipated all of the outcomes to date, including the diversion of traffic, but felt the process was necessary in order to collect data that can then be applied to other locations.

Action - The Committee accepted (2-0-1, Holcombe disqualified) staff's update regarding the removal of the temporary bulbing at the East First Avenue/Oleander Avenue intersection and directed staff to provide a report detailing the results of the corner bulbing to the Committee at a future meeting.

West First Avenue/Magnolia Avenue Intersection

Committee Member Holcombe rejoined the meeting.

John Whitehead, Board President of CANA, addressed the Committee regarding future costs associated with taking out the bulbing and stated CANA was developing an email database to notify the neighborhood of future meetings.

Judy Galley, Ken Fleming, and Karen Schwartz addressed the Committee regarding the notification process and requested that more specific information be included in the notice. Ms. Schwartz also questioned what staff was going to do about the damage caused by the added weight of the buses. Staff acknowledged their concerns and stated the streets have been added to the project list, but noted the list of streets needing repair is lengthy.

Committee Member Walker questioned whether there is a problem at the intersection of West First Avenue and Arcadian Avenue and if bulbing would improve the issue. Staff responded that the West side of First Avenue is very different from the East side and that bulbing these corners would not prohibit left-hand turns.

Committee Member Holcombe questioned how the accessibility of bicycles through this intersection would be affected. Staff explained the bulbing design could be pulled back so the bike lane would remain uninterrupted.

Committee Member Holcombe voiced his concerns with the City's notification process and stressed this road impacts more than just the immediate neighborhood included in the 500-foot radius.

Action - The Committee concurred (3-0) to move forward with permanent bulbing at the Arcadian and West First Avenue intersection.

- B. **Business from the Floor.** Karen Zinniel addressed the Committee regarding whether the Chico Certified Farmers Market had been contacted with regards to the 1st and 2nd Street Couplet project. Staff responded that the response by the group was favorable.
- C. **Adjournment and Next Meeting.** The Committee adjourned at 10:00 a.m. to its next regularly scheduled meeting on Tuesday, March 9, 2010, at 8:00 a.m. in Conference Room No. 1.

Laurie Sevier, Administrative Assistant

Distribution:

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City Clerk's Office
411 Main Street, Chico, CA 95928
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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
March 9, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, April 13, 2010, at 8:00 a.m. in
Conference Room 1, unless otherwise noted.



Internal Affairs Committee Report

DATE: April 28, 2010

TO: CITY COUNCIL

File : [Comm Binder](#)

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD APRIL 13, 2010**

<p><u>Committee present:</u> Chair Nickell Councilmember Holcombe Councilmember Walker</p>	<p><u>Staff present:</u> City Manager Burkland City Attorney Barker Assistant City Manager Rucker</p>	<p>Building & Dev. Services Dir. McKinley Administrative Services Director Pierce Administrative Assistant Sevier</p>
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ITEMS NOT REQUIRING COUNCIL ACTION

- A. **Consideration of Amendments to the Chico Certified Farmers Market Franchise Agreement** - The Chico Certified Farmer's Market requested modifications to the franchise agreement, including restricted access at the center driveway on Flume Street to improve safety, extending the franchise area out to the curb line of each adjacent street, and extending the length of the notice of termination period. These items were recommended by the DCBA Board. The Building and Development Services Director recommended amending the Chico Certified Farmers Market Franchise agreement to reflect: 1) restricting a portion of the center driveway on Flume Street and block off the drive isle at the middle driveway, thereby adding this area to the Market's vending area; 2) extending the limits of the Franchise area to include the entire block, bounded by the exterior curb lines, however leaving the vending area as it exists with the exception of the area added at the middle driveway on the Flume Street side; and 3) extending the period in which Council notifies the Market of termination of the agreement from 30 days to 180 days. (**Report - Fritz McKinley, Building and Development Services Director**)

Holly Montgomery and Terry Givens represented the Chico Certified Farmers Market (CCFM) and stated the requested modifications would alleviate outside vending issues, while still allowing City-permitted vendors to remain, as long as they: 1) carry their own insurance; 2) do not block the drive aisles; and 3) sign a contract with the CCFM to acknowledge the entity. Ms. Givens added the CCFM would not charge the City-permitted vendors, therefore only non-permitted vendors and people blocking the drive aisles will be affected by the changes.

Katrina Davis-Woodcox, Alan Chamberlain, and Mike Trollinder addressed the Committee in favor of allowing the CCFM control over the sidewalks.

The Committee expressed concern with giving the CCFM authority over the sidewalks to remove people handing out flyers or exercising their First Amendment Rights. City Attorney Barker stated that people that are not selling anything cannot be excluded, but driveways can still be cleared.

Councilmember Walker suggested moving the market boundaries to the inside of the parking lot, without including the sidewalks and agreed with staff's recommendation for adding the area on Flume Street to the franchise area. Councilmember Holcombe concurred.

Councilmember Holcombe requested clarification as to who the responsible party was for the periodic closing of Wall Street. Ms. Givens stated the CCFM helps coordinate closure of Wall Street for third party events, however the events are not affiliated with the Market.

Councilmember Holcombe suggested staff create language that differentiates between terminating the agreement and making changes. He noted he had no concerns with the market expanding to include the portion along Flume Street, however, he would like to see proposed language for allowing the Market full sidewalk control before giving a recommendation to Council. He also stated he would like to see the Market maintain the inner edge of the sidewalk, and would not want to have to give 180 day notice to change back if things do not go as planned.

Councilmember Holcombe made the following motion. The motion was seconded by Walker and carried 2-1 (Nickell opposed).

Action: The Committee directed (2-1 Nickell opposed) staff to bring back the proposed Chico Certified Farmers Market Franchise Agreement with draft language pertaining to the expansion of the Market to include sidewalk coverage and clarification on agreement timelines for modifications and/or termination.

- B. **Franchise for the Exclusive Use of a Portion of City Streets, Sidewalks, or Other City Property; Thursday Night Market** - At its meeting held 03/02/10, the City Council referred to the Internal Affairs Committee discussion of Wayne Cook's concerns about the impact to the operations of the Hotel Diamond resulting from the closure of West 4th Street between Salem Street and Broadway each Thursday night from April 1 through September 30, for the Thursday Night Market as authorized by the Downtown Chico Business Association (DCBA) franchise. The Committee was also provided with an informational package from the DCBA. It was recommended that after hearing the concerns of representatives from the Hotel Diamond and the DCBA, the Committee consider solutions to minimize impacts to the Hotel Diamond's business as a result of the Thursday Night Market. **(Report - Cindy Pierce, Administrative Services Director)**

Wayne Cook, owner of the Hotel Diamond and hotel manager Sandy Teague, addressed the Committee regarding the negative impact the Thursday Night Market has on the hotel. Mr. Cook urged the Committee to authorize reopening of 4th Street to thru traffic, including opening a single lane on Broadway to permit complete traffic circulation around the entire block. He concluded the hotel loses anywhere from 3 to 6 rooms per Thursday due to the restricted access.

Alan Chamberlain, Nicole Romaine, and Becky Watner of the DCBA, addressed the Committee stressing the positive impact the Thursday Night Farmers Market has on the downtown.

Katrina Davis-Woodcox, DCBA, stated unintended impacts to the Market caused by opening 4th Street would be elimination of 35 commercial vendors. She added that the event is the primary fundraiser for the DCBA and the loss in vendor spaces would cause the DCBA to rethink whether or not to continue the event.

Harrold Park, owner of House of Rice; Yvonne Gailey, owner of Pure Skin; Sal Corona, owner of Caffe Malvina; and Greg Strong, owner of Chico Paper Company addressed the Committee regarding the negative impact the Thursday Night Market has on their businesses.

Darren Shatterdon addressed the Committee in favor of the DCBA, however noted the Thursday Night Market has become more like a fair than an event for farmers.

Mike Trolinder and Clyde Billman, General Manager for the hotel, addressed the Committee in favor of the Hotel Diamond's request.

Joe Symmes, chef of Johnnie's, noted that the restaurant averages \$5,000 every Thursday throughout the year and \$3,000 when the Market is in place.

Councilmember Walker did not see the requested changes satisfying the Hotel's problems and encouraged finding another solution rather than opening up 4th Street. He then recommended the proposed item #2 on a trial basis to relocate the barricades farther east on 4th Street. Councilmember Holcombe concurred.

Councilmember Nickell confirmed that staff had not heard from the owners of the Bank of America parcel regarding use of the parking lot as an alternate exit from 4th Street. He then stated support for item #2 of staff's recommendation.

Councilmember Holcombe made the following motion and the Committee concurred 3-0.

Action: The Committee endorsed (3-0) the DCBA working with the Hotel Diamond to adjust the location of the barricades on West 4th Street to allow traffic to turn around in front of the Hotel on an experimental basis and directed staff to contact the owner of the Bank of America parcel to determine the feasibility of utilizing that parking lot as an alternative exit from West 4th Street during the Thursday Night Market.

- C. **Business from the Floor.** None.

- D. **Adjournment and Next Meeting.** The Committee adjourned at 10:05 a.m. to its next regularly scheduled meeting on Tuesday, May 11, 2010, at 8:00 a.m. in Conference Room No. 1.

Laurie Sevier, Administrative Assistant

Distribution:

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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
May 11, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, June 8, 2010, at 8:00 a.m. in
Conference Room 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
June 8, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, July 13, 2010, at 8:00 a.m. in
Conference Room 1, unless otherwise noted.



Internal Affairs Committee Report

DATE: August 5, 2010

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON JULY 13, 2010**

<u>Committee Present:</u> Chair Nickell Councilmember Holcombe Councilmember Walker (absent)	<u>Staff Present:</u> City Manager Burkland Assistant City Manager Rucker Assistant City Attorney Rock	Bldg. & Dev. Services Dir. McKinley Accounting Manager Fields Administrative Assistant Sevier
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ITEMS REQUIRING COUNCIL ACTION

- A. **Consideration of Amendments to the Chico Certified Farmers Market Franchise Agreement -**
The Committee reviewed draft franchise language regarding the Chico Certified Farmer's Market (CCFM) Franchise Agreement including the changes discussed at the April 13, 2010 Committee meeting. The two proposed modifications were to extend the franchise area to include the surrounding sidewalk and to increase the notification period for franchise termination. The City Attorney recommended the Committee review the draft language to make a recommendation to the City Council on the requested franchise amendments. **(Report – Alicia Rock, Assistant City Attorney)**

Terry Givens, CCFM representative, explained to the Committee that typically the market is only charged a rental fee for the space used if bathroom facility maintenance is included. The bathroom located at the Saturday market is supplied and maintained by CCFM.

Mike Trollinder urged the Committee to consider a \$25-\$35 fee per vendor, similar to what the vendors from the Thursday night market pay as a promotional cost for downtown. He also commented on the negative impact street closures have on the downtown businesses and suggested the market use the expanded area instead of closing the streets for the events. Terry Givens responded stating the street closures are typically only four per year and are from outside agencies that offer programs in conjunction with market activities. Staff clarified that street closures are not part of the franchise agreement.

Councilmember Holcombe acknowledged that Council receives frequent complaints regarding street closures in the downtown area and asked if there was a mechanism in place to appeal the closure. Staff explained that previous complaints were dealt with privately by the parties involved in an informal manner working to a compromise. Councilmember Holcombe expressed interest in agendaizing this topic for a future meeting.

Councilmember Holcombe then questioned the insurance language used in the draft ordinance. Staff confirmed that the City Attorney's Office will be updating the liability insurance requirement to be consistent with current contract language which requires \$1 million per occurrence and \$2 million in the aggregate.

Councilmember Holcombe requested a clarification to the terms of the 'no vending in parking area' to be distinct from solicitation and advertising, to which staff ensured there was a distinction to the two terms. He also expressed concern with language in the franchise agreement regarding the use of Wednesday nights, even though it has never been initiated. He noted that he would be more comfortable approving the language if adequate notice is given before taking advantage of that provision.

Councilmember Holcombe questioned whether or not the City should charge anything for fair market value for use of the parking lot and if other events incurred such a charge. He referenced pages 6 and 7 of the draft ordinance and suggested the franchise fee be \$1 per year to recognize the public benefit, similar to what other non-profit organizations are charged. He suggested that, if a distinction is made, such as the involvement of City staff time for permitting, the rate should include the direct costs associated with the permit, but if the policy is to not charge a fee, then it should be acknowledged so that there will be a formula in place for the next person who makes the same request. Staff explained the franchise fee collected does not stay with the City, but is a Downtown Parking Business Improvement Area (DPBIA) tax collected from all downtown vendors and is in the Code to acknowledge downtown businesses. It was also noted the unforeseen costs associated with charging a nominal fee, such as tracking the money and updating the fee schedule, far exceed the worth of the money collected.

Chair Nickell stated he had no concerns with approving the proposed ordinance and trusted CCFM to provide adequate notice to the City should they choose to operate on Wednesdays.

The following motion was made by Councilmember Holcombe and seconded by Chair Nickell:

- 1) The Internal Affairs Committee recommended that the Council adopt the new consolidated franchise agreement with its various amendments as outlined in the staff report; and
- 2) Directed staff to modify the insurance language in order to ensure consistency with the City's insurance requirements in other City contracts.

Recommendation: The Internal Affairs Committee recommended (2-0-1, Walker absent) that the City Council approve the draft language of the proposed ordinance with a modification that the insurance language be consistent with the language used in other City contracts.

B. **Business from the Floor.** None.

C. **Adjournment and Next Meeting.** The Committee adjourned at 8:32 a.m. to its next regularly scheduled meeting on Tuesday, August 10, 2010, at 8:00 a.m. in Conference Room No. 1

Laurie Sevier, Administrative Assistant

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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
August 10, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, September 14, 2010, at 8:00 a.m.
in Conference Room 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
September 14, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, October 12, 2010, at 8:00 a.m. in
Conference Room No. 1, unless otherwise noted.



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CITY OF CHICO
INTERNAL AFFAIRS COMMITTEE

NOTICE OF CANCELLATION OF MEETING

The Internal Affairs Committee meeting scheduled for
October 12, 2010, has been cancelled.

The next meeting of the Internal Affairs Committee is
scheduled for Tuesday, November 9, 2010, at 8:00 a.m.
in Conference Room No. 1, unless otherwise noted.



Internal Affairs Committee Report

DATE: November 12, 2010

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON NOVEMBER 9, 2010**

<u>Committee Present:</u> Chair Nickell Councilmember Holcombe Councilmember Walker	<u>Staff Present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker	Bldg. & Dev. Services Dir. McKinley Senior Planner Tillman Administrative Assistant Sevier
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ITEMS REQUIRING COUNCIL ACTION

- A. **Downtown Chico Business Association (DCBA) Franchise for the Exclusive Use of a Portion of City Streets, Sidewalks or Other City Property – Thursday Night Market.** At its meeting on 10/19/10, the City Council referred consideration of a renewed request by Wayne Cook of Hotel Diamond to discuss the renewal/extension of the DCBA franchise in light of impacts to hotel operations resulting from the weekly closure of West 4th Street between Salem and Broadway Streets between April 1 and September 30 to stage the Thursday Night Market. (**Report – Shawn Tillman, Senior Planner**)

Becky Watner, interim Executive Director of the DCBA, addressed the Committee regarding the history of the Thursday Night Market (Market) franchise agreement and the willingness of the DCBA to compromise with the Hotel Diamond in the past. She emphasized that the Market has been in business for 14 years, prior to the restoration of the hotel. Ms. Watner also stated the DCBA is willing to reassess the Market to make it better, however if a reassessment is to take place, the DCBA deals with a “real time” factor of running the Market, which depends on the vendor applications being sought in January for the forthcoming season.

Sandy Teague, Director of Hotel Diamond, shared her concerns that the City’s couplet project is too far away to be considered a viable option. She stressed the hotel’s main concerns are the lack of ability of patrons to unload at the front of the hotel and the busiest time for hospitality is April to September, the same time as the Market. She suggested a reconfiguration of the Market would help solve most of the issues of the hotel and provide more benefits to all of downtown. Ms. Teague also clarified the comments that perhaps the renewed request by Mr. Cook is related to his request to expand the hotel into the Morehead Building. She concluded by suggesting a committee be formed of interested parties to reinvent the Market.

Jolene Francis, President of the Chamber of Commerce, stated a successful redesign of the Market would benefit all of downtown, adding the Chamber would be willing to help find a solution if all parties involved are in agreement.

Addressing the Committee were business owners Ron Peck, Harold Park, Bud Schwab, Dan Hunt, Jim Heberly, and downtown advocate, Mike Trollinder.

Councilmember Walker stated that he felt that a compromise could be made by perhaps having vendors move to the middle of the street with people walking closer to the sidewalks, giving the businesses more foot traffic. Walker indicated the intent of the termination of the agreement would be to allow options to be written into a new contract and to have that in place by the start of the Market’s season in April.

Councilmember Walker also questioned whether or not it would be feasible to close the western 1/3 portion of Broadway to allow vehicle access. Staff indicated that option could cause an unsafe condition for pedestrians.

Councilmember Holcombe stated that he felt the franchise agreement should be renewed which by doing so, would allow additional time to evaluate options.

Councilmember Holcombe moved that the Committee take no action with regard to the Thursday Night Market and proceed with the renewal of the DCBA franchise agreement. The motion died for a lack of a second.

Councilmember Walker made the following motion, which was seconded by Chair Nickell and carried 2-1, Holcombe opposed.

Recommendation - The Internal Affairs Committee recommended (2-1, Holcombe opposed) that the City Council serve DCBA with the required 30-day notice of intent to terminate the current franchise agreement for the DCBA in order to modify the franchise agreement with regard to street closures, market configuration, and minimized impacts to downtown businesses during the Thursday Night Market. The intent of this modification would be to have the market back up and running by the beginning of its April 2011 season.

- B. **Business from the Floor.** Councilmember Walker acknowledged this meeting as the last Committee meeting for Chair Nickell and thanked him for his service to the Internal Affairs Committee and the City of Chico. He added that Councilmember Nickell's time serving on the Council has been appreciated as well as the intensity he that brings to each meeting.
- C. **Adjournment and Next Meeting.** The Committee adjourned at 9:08 a.m. to its next regularly scheduled meeting on Tuesday, December 14, 2010, at 8:00 a.m. in Conference Room No. 1

Laurie Sevier, Administrative Assistant

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Internal Affairs Committee Report

DATE: JANUARY 10, 2011

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON DECEMBER 14, 2010**

Committee Present: Chair Holcombe Councilmember Sorensen Vice Mayor Walker	Staff Present: City Manager Burkland Assistant City Manager Rucker Assistant City Attorney Wilson	Bldg. & Dev. Services Dir. McKinley Housing & Nbrhd Srv. Dir. Morgado Senior Planner Tillman Assistant Civil Engineer West Administrative Assistant Sevier
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ITEMS REQUIRING COUNCIL ACTION

A. Recommendation to Amend the Chico Municipal Code to Address Notices of Non-Compliance.

During the course of enforcement of the City's Municipal Code, occasions arise when the property owner does not take the necessary action to abate a violation which is of an on-going nature. To address these types of situations where all other available remedies have been exhausted, staff recommended that the City consider amending the Municipal Code to permit the recording of Notices of Non-Compliance as an additional enforcement mechanism to obtain code compliance. The Housing & Neighborhood Services Director recommended that the Internal Affairs Committee consider staff's report, and recommend to the City Council that the City Attorney be directed to draft an ordinance to amend the Chico Municipal Code to add a chapter regarding Notices of Non-Compliance. (**Report: Sherry Morgado, Housing & Neighborhood Services Director**)

Juanita Sumner voiced concerns about the recording of a notice of non-compliance and its permanence on a title, regardless of being cleared. She also questioned the impact this would have on residences with "grandfathered" circumstances.

Councilmember Sorensen questioned the need for the notice due to already imposed state disclosure laws and asked staff based on existing cases, how often the notice would have been recorded. Staff gave an example of a citizen that found out a previous owner had a number of building permits open and had never completed the work; another example was a substandard home that became vacant and subsequently sold to an unsuspecting buyer. Had a notice of non-compliance been issued, the title would have to have been cleared prior to its transfer.

Councilmember Holcombe noted this ordinance would serve as a precautionary tool that if unused would have no effect, but if utilized, would inevitably improve the housing stock.

The following motion was made by Vice Mayor Walker and seconded by Councilmember Holcombe. The motion carried 2-1, Sorensen opposed.

Recommendation: The Internal Affairs Committee recommended (2-1, Sorensen opposed) that the Council direct the City Attorney to draft an ordinance to amend the Chico Municipal Code to add a chapter regarding Notices of Non-Compliance.

B. Consideration of Request from Wayne Cook to Amend the Parking Sublease Agreement with the Chico Redevelopment Agency for the Hotel Diamond to Dedicate Additional Parking Spaces.

At its November 16, 2010 meeting, the City Council referred discussion and consideration of a letter from Hotel Diamond owner Wayne Cook requesting that the City of Chico provide additional parking spaces in the parking structure on Salem Street between West 3rd and West 4th Streets (Parking Lot 3) for the use of Hotel Diamond in anticipation of the expansion of the hotel into the

adjacent Morehead Building on the northwest corner of Broadway and West 4th Streets. Staff recommended that the Committee recommend to the City Council and Redevelopment Agency that the City Manager be authorized to amend the applicable agreements to increase the total number of parking spaces available for the use of the Hotel Diamond at such time as expansion occurs, subject to City review and approval of expansion plans and entitlements. Staff further recommended that those additional spaces be specified as shared-use spaces, and dedicated for Hotel Diamond use only during the hours of 6:00 PM and 12:00 AM (midnight). **(Report - Shawn Tillman, Senior Planner)**

Wayne Cook, owner of the Hotel Diamond, stressed the need for one parking space per room, which is the Code requirement for a hotel.

Jolene Francis, Juanita Sumner, Mike Trolinder, Mike Peavy and Earl Jessee spoke in favor of the additional parking. Mr. Peavy added that on-demand parking would allow the hotel to use the spaces when needed by use of a parking permit and still allow retail shoppers to use the metered parking on a first-come first-served basis.

Vice Mayor Walker questioned why the Hotel is only looking at utilizing parking structure spaces and if the City had an obligation to provide parking spaces for the expansion.

Councilmember Sorensen stated the City would not see investment in the downtown until the parking problem was fixed and added the Hotel would not be successful without the parking spaces.

Councilmember Holcombe questioned why the City should give free spaces to the Hotel and not to other businesses downtown and why the Hotel couldn't look into leasing spaces from one of the private parking lots in close proximity. Mr. Cook replied the benefit is in the expansion and bringing more people to the downtown and added that even with City provided parking, the Hotel still has a hard time making ends meet.

Vice Mayor Walker made the following motion which was seconded by Councilmember Sorensen and carried 3-0.

Recommendation: The Internal Affairs Committee recommended (3-0) to the City Council and Redevelopment Agency that the City Manager be authorized to amend the applicable agreements to increase the total number of parking spaces available for the use of the Hotel Diamond at such time as expansion occurs, subject to City review and approval of expansion plans and entitlements.

- C. **Business from the Floor.** Mike Trolinder asked the Committee to consider holding a more informal meeting.
- D. **Adjournment and Next Meeting.** The Committee adjourned at 9:30 a.m. to its next regularly scheduled meeting on Tuesday, January 11, 2011, at 8:00 a.m. in Conference Room No. 1

Laurie Sevier, Administrative Assistant

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